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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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ANDY TOBIN

**DOCKETED**

AUG 19 2016

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF  
TUCSON ELECTRIC POWER COMPANY FOR  
APPROVAL OF ITS 2016 RENEWABLE  
ENERGY STANDARD IMPLEMENTATION  
PLAN.

DOCKET NO. E-01933A-15-0239

IN THE MATTER OF THE APPLICATION OF  
TUCSON ELECTRIC POWER COMPANY FOR  
THE ESTABLISHMENT OF JUST AND  
REASONABLE RATES AND CHARGES  
DESIGNED TO REALIZE A REASONABLE  
RATE OF RETURN ON THE FAIR VALUE OF  
THE PROPERTIES OF TUCSON ELECTRIC  
POWER COMPANY DEVOTED TO ITS  
OPERATIONS THROUGHOUT THE STATE OF  
ARIZONA AND FOR RELATED APPROVALS.

DOCKET NO. E-01933A-15-0322

**MOTION FOR PROCEDURAL  
ORDER TO MODIFY THE SCOPE  
OF EVIDENTIARY HEARING**

*Expedited Consideration Requested*

Tucson Electric Power Company ("TEP" or "Company"), through undersigned counsel, hereby requests an order to modify the scope of the evidentiary hearing for the above-referenced matters as set forth herein.

**Background**

On August 18, 2016, the Arizona Corporation Commission issued Decision No. 75697 ("Decision") that approved an application for a rate increase for UNS Electric, Inc. ("UNS Electric") in Docket No. E-04204A-15-0142. The Commission's Decision in the UNS Electric rate case docket keeps the rate case open for consideration of several issues in a "Phase 2" proceeding that will commence following the issuance of a final Order in the Commission's Investigation of Value and Cost of Distributed Generation, Docket No. E-00000J-14-0023 ("Value of DG Docket"). Those issues include, but are not limited to, net metering and UNS Electric's proposal for mandatory three-

1 part rates for new distributed generation ("DG") customers. TEP has made similar proposals in this  
2 rate case. These proposals are discussed in the pre-filed Direct and Rebuttal testimonies that have  
3 already been filed, and are anticipated to be further discussed in the Surrebuttal and Rejoinder  
4 testimonies to be filed on August 25 and September 1, 2016, respectively.<sup>1</sup> These proposals will  
5 also be considered as part of the evidentiary hearing that will commence on September 8, 2016.

6 **Requested Modification of the Scope of the Hearing and Extension to File Witness Schedule**

7  
8 The Decision issued in the UNS Electric rate case docket defers consideration of proposals  
9 relating to changes to net metering and mandatory three-part rates for new DG customers until after  
10 the Value of DG Docket has been decided in order to address the guidance to be provided by the  
11 Value of DG Docket. Given the similar circumstances in this docket, it therefore follows that a  
12 similar approach could result in this docket as well.

13 Accordingly, TEP believes that in the interest of judicial economy, the evidentiary portion  
14 of the hearing for the TEP rate case regarding of changes to net metering and the Company's  
15 proposal for mandatory three-part rates for new DG customers should similarly be deferred to a  
16 Phase 2 proceeding that would occur after a final decision in the Value of DG Docket. Additionally,  
17 the Company requests that the portions of Surrebuttal and Rejoinder testimonies relating to changes  
18 to net metering and the Company's proposal for mandatory three-part rates for new DG customers  
19 also be deferred for filing in a Phase 2 proceeding. The parties will still file their Surrebuttal and  
20 Rejoinder testimonies relating to all other aspects of the rate case on August 25 and September 1,  
21 2016, respectively.

22 As a result, this will considerably shorten the length of the evidentiary hearing scheduled to  
23 begin on September 8, 2016. This also benefits all parties by reducing the duplication of efforts by  
24 having the witnesses pre-file testimony, testify in person and be cross examined on these issues all  
25  
26  
27

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<sup>1</sup> See Procedural Order dated August 17, 2016.

1 at once at a Phase 2 proceeding. This Motion should not delay or otherwise alter the hearing schedule  
2 that was adopted by the Procedural Order issued by the Hearing Division on August 17, 2016.

3 Counsel for TEP has informed all parties of its intention to file this Motion and at the time  
4 of this filing, has received authorization from the following parties to represent support for this  
5 Motion: Staff, RUCO, AriSEIA, Arizona Community Action Association, Arizonans for Electric  
6 Choice and Competition, Arizona Investment Council, Arizona Public Service Company, Arizona  
7 Solar Deployment Alliance, Arizona Utility Rate Payer Alliance, The United States Department of  
8 Defense and all Other Federal Executive Agencies, Freeport Minerals Corporation, Kevin Koch,  
9 The Kroger Co., Noble Americas Energy Solutions, LLC, Pima County, Bruce Plenk, Sierra Club,  
10 SOLON Corporation, Southwest Energy Efficiency Project, Tucson Meadows, L.L.C., Vote Solar,  
11 Wal-Mart Stores, Inc. and Sam's West, Inc., and Western Resource Advocates.

12  
13 In light of this Motion, as well as the Settlement Agreement on revenue requirement filed in  
14 this docket, the Company also requests an extension of time until August 26, 2016 to work with the  
15 parties to file a proposed witness schedule for the September 8, 2016 hearing.

16 TEP hereby requests that the Commission issue a Procedural Order modifying the scope of  
17 the evidentiary hearing as described herein and to extend the time to file a proposed witness schedule  
18 until August 26, 2016.

19 RESPECTFULLY SUBMITTED this 19th day of August 2016.

20 TUCSON ELECTRIC POWER COMPANY

21  
22 By 

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8 Docket Control  
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11 Copies of the foregoing hand-delivered/mailed/e-mailed  
12 this 19th day of August 2016, to:

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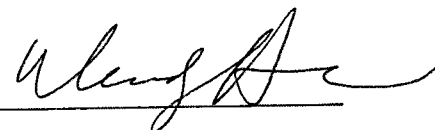
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